


**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ROBERT CLINE,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-07-442-R
)	
STATE OF OKLAHOMA,)	
)	
Respondent.)	

ORDER

Petitioner , a state prisoner appearing pro se, filed this action pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. Pursuant to 28 U.S.C. § 636(b)(1)(B), this matter was referred to United States Magistrate Judge Bana Roberts for preliminary review. On July 30, 2007, Judge Roberts issued a Report and Recommendation wherein she recommended that the petition be dismissed without prejudice because Petitioner had failed to exhaust his claims in state court. The record reflects that Petitioner has not timely filed an objection nor sought an extension of time in which to object. Accordingly, the Report and Recommendation is hereby ADOPTED in its ENTIRETY, and the petition is DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED this 27th day of August 2007.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE